

Maine Department of Labor
BUREAU OF UNEMPLOYMENT COMPENSATION

**EXPLANATION OF WORK SEARCH AND SUITABLE WORK REQUIREMENTS
under the
TRADE READJUSTMENT ALLOWANCE (TRA)
and
NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)
PROGRAMS**

The Laws pertaining to a claimant's obligations regarding Work Search and Suitable Work requirements are different under the Trade Readjustment Allowance Program than they were under the Regular Unemployment Insurance Program. **YOU MUST OBSERVE THE FOLLOWING REQUIREMENTS TO BE ELIGIBLE FOR TRADE READJUSTMENT ALLOWANCES (TRA) / NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA).**

WORK SEARCH:

You must make a sustained and systematic effort to seek work. A TRA/NAFTA claimant is expected to make a more diligent and active search for work than would normally be required of an individual receiving regular benefits.

If there are no or few openings in an individual's customary occupation, he/she must broaden the types of work sought to meet the active search for work requirements. Claimants who restrict their job search to their customary occupation as a mere preference, not based on physical or mental capability, will not meet the requirements of seeking work.

In most cases, merely contacting your former employer or your union business agent will only partially meet the work search requirement and will not in itself be adequate to meet work search requirements. An additional effort must be made. A promised offer of work does not relieve a claimant from continuing to actively seek work. You can only be exempt from this requirement if you are in a State approved training program.

TANGIBLE EVIDENCE:

You must provide "Tangible Evidence" of a sustained and systematic effort to seek work each week. You must provide a written record of:

1. Employers Contacted (Name and Address) – Three employer contacts in two or more days.
2. Name of Person Contacted
3. Date of Contact
4. Type of Work Sought
5. Result of Contact

A card will be provided for recording this information for each week claimed.

FAILURE TO APPLY FOR OR TO ACCEPT SUITABLE WORK:

Suitable work under the TRA/NAFTA Program means **any work that is substantially equal or higher skill level** than his/her past adversely affected employment under the Trade Act. Your prior experience and training and your prior earnings will only be considered as specified under TRA/NAFTA Law. We will continue to consider the distance of available work, as well as the availability of such work due to labor disputes, strikes, or lockouts.

For work to be deemed suitable, the gross wages offered must not be less than the State or Federal minimum wage; and cannot be less than 80% of the individual's average weekly wage in his/her past adversely affected employment under the Trade Act.

You will be ineligible to receive benefits under the TRA/NAFTA Program if you fail to accept a referral or fail to apply for referred work by the CareerCenter, or fail to accept work that is offered in writing. However, the Law for regular benefits may apply if the offer of work is not in writing. You must report **ANY AND ALL** offers of work.

These suitability requirements for TRA/NAFTA benefits apply only if your prospects for employment are determined to be "NOT GOOD." Your job prospects will be accepted as "GOOD" only if you have a definite offer to work to begin within 4 weeks. This determination will be made when you file your first claim and complete your claimant questionnaire. Return the questionnaire to the Special Program Unit in Augusta. Their mailing address is:

Maine Department of Labor
Bureau of Unemployment Compensation
ATTN: Special Program Unit
P.O. Box 259
Augusta, ME 04332-0259

Telephone No.	(207) 287-4560
Fax No.	(207) 287-8351
TTY (Hearing Impaired)	1-800-794-1110

If your prospects are determined to be "NOT GOOD" you will be referred to the CareerCenter. They may call you in for work registration or job referral.

Remember, even though your prospects for employment are considered as "GOOD," you are still required to make a sustained and systematic effort to seek work each week.

PENALTIES:

If you fail to meet the requirements for seeking work or fail to accept or apply for suitable work as defined under the Extended Benefit Law, you will be disqualified for benefits for the week you fail to meet such requirements and you will be denied TRA/NAFTA benefits until you work in at least four weeks and earn not less than four times your TRA/NAFTA Weekly Benefit Amount.

As there is no "good cause" for failing to actively search for work during a week, you **SHOULD NOT FILE A CLAIM** for a week in which you did not make a work search.